

**RESOLUTION NO. \_\_\_\_\_, SERIES 2008**

**A RESOLUTION DETERMINING THAT IT IS IN METRO GOVERNMENT'S BEST INTEREST TO TRANSFER TWENTY-EIGHT (28) PARCELS OF REAL PROPERTY LOCATED THROUGHOUT METRO AND SET OUT IN EXHIBIT A ATTACHED HERETO, CURRENTLY USED FOR DRAINAGE AND FLOOD CONTROL, TO LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT ("MSD") AND AUTHORIZING THAT TRANSFER.**

**SPONSORED BY: Councilman Bob Henderson**

**WHEREAS**, according to KRS 67C 101 (3)(e), Metro Government may dispose of real property owned by Metro Government; and

**WHEREAS**, Section 2 (C) of Executive Order No. 3, Series 2007, of the Metro Mayor, provides that Metro Government may transfer its interest in real property upon a determination by the Legislative Council of Metro Government ("the Council") that such property is no longer needed for governmental purposes of Metro Government; and

**WHEREAS**, Jefferson County, Kentucky and Jefferson County Community Improvement District acquired the real property which is the subject of this resolution, set out in Exhibit A attached hereto (the "Property"), for drainage improvements and flood control; and

**WHEREAS**, MSD is the administering agency of Metro Government's Floodplain Management Ordinance and has the resources to manage the Property; and

**WHEREAS**, the citizens of Metro Government will benefit from MSD's ownership of the Property by reduced maintenance costs and possibly lower flood insurance premiums; and

**WHEREAS**, the Director of the Department of Public Works and Assets has declared and certified to the Council that the real property that is the subject of this resolution is dedicated to drainage and flood control and is otherwise surplus to the needs of Metro Government (Exhibit B).

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL AS FOLLOWS:**

**SECTION I.** That the Council determines that:

- 1.) The real property that is the subject of this resolution (the “Property”) is described in Exhibit A, attached hereto; and
- 2.) The Property was acquired to be used for drainage improvements and flood control and MSD will use the Property for drainage improvements and flood control; and
- 3.) The citizens of Metro Government will benefit from MSD’s ownership of the Property by reduced maintenance costs and possibly lower flood insurance premiums; and
- 4.) The Property shall be conveyed to MSD in fee simple, without warranty, for no monetary consideration.

**SECTION II.** That the Mayor is hereby authorized to transfer the property named herein, according to Section 2 of Executive Order No. 3, Series 2007, of the Mayor, without further action by the Council.

**SECTION III.** This Resolution shall become effective upon its passage and approval.

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**KATHLEEN J. HERRON**  
Metro Council Clerk

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**JIM KING**  
President of the Council

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**JERRY E. ABRAMSON**  
Mayor

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O’Connell  
Jefferson County Attorney

BY: \_\_\_\_\_  
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